Public Office, *Bow-Street, Covent-Garden.*

THE PUBLIC HUE AND CRY;

OR,

Sir John Fielding's General Preventive Plan.

SENT

To the Mayors and Chief Officers of Corporations, the Acting Magiſtrates in the Counties at large, and the Keepers of every County Gaol throughout England.

From FRIDAY, FEBRUARY 4, to FRIDAY, FEBRUARY 11, 1774. [No. 11

ESCAPED from JUSTICE.

THOMAS BROADHEAD, charged with ſtealing a Quantity of Apparel. He is about twenty-one Years of Age, about five Feet ſeven Inches high, ſhort black Hair, a Scar on the Side of his Noſe, his left Eye ſore, had on either brown Cloaths or light-coloured ones, with yellow metal Buttons; was born in Cheſhire, and is a Whiteſmith. One Guinea Reward is offered by the Perſon robbed. Give Notice to the above Office.

ESCAPED from JUSTICE,

JAMES BOOTH, charged with Felony, at Sleaford in Lincolnſhire. He is about five Feet, two Inches high, twenty-ſix Years of Age, was born at Stamford, in Lincolnſhire, wears light brown Hair clubb'd, marked with the Small-Pox, had on a dark brown Coat and Waiſtcoat, with white metal Buttons, dirty leather Breeches, and blue and white Stockings. Give Notice to the above Office, or to Leonard Brown, Eſq. at Sleaford.

N. B. He is alſo charged with a capital Offence in Middleſex.

ESCAPED from JUSTICE,

JOHN HOPKINSON, who, with three others, deſcribed as follows, ſtands charged on Oath with ſtealing, on Tueſday the Firſt of this Inſtant from Dowager Lady Eſſex, at Ruſſel Farm, near Watford, in Herts; nine Turkeys, five Norway Geeſe, and five white Ducks. Three Guineas Reward is offered on his Conviction. Give Notice to the above Office.

Hopkinſon is five Feet five Inches high, broad ſet, brown lank Hair, about thirty Years old, ſwarthy Complexion, brown Great Coat, and brown under Coat, and ſlouched Hat, has been a Footman and Helper in Stables, viz. at Mr. Dimmock's, in Oxford Street, and Mr. Butt's, in Bond-Street, and has with him a dark brindle Bitch, of the lurching Kind, with long Hair; the three others are young Men, one in a white farmer's foul weather Coat, ſandy Hair, white Eye-Brows, ſhrill Voice; another in a blue Coat; and the Third in pea-green Breeches,

STOLEN or Strayed, near Eltham in Kent, the 4th of February, a beautiful moulded Bay Mare, nine Years old, about fourteen Hands high, very fat, but rough coated and large belly'd, being at Graſs, a ſmall dim Star in her Forehead, white fetlock Joints, and a black Ring underneath each, adjoining to the Hoof, a rough black Mane and a nag Tail, very thin of Hair, ſets both Ends well, is gentle, but very ſprightly, and moves remarkably well in all her Paces, is very liable to bite when touched near the girting Place, and being ſtroked about the Noſtrils, will ſuddenly toſs up her Head. Whoever brings the ſaid Mare to Mr. Scambler's, in Blackman Street, in the Borough, Southwark, or gives Information where ſhe is, ſhall be paid all Expences, and One Guinea Reward, if ſtrayed; or Five Guineas, if ſtolen, upon Conviction of the Offender.

STOLEN from Cowley, near Uxbridge, the 6th Inſtant, a Bay Gelding, near fifteens Hands high, black Mane and Tail, Star, white Feet behind, ſome remarkable brown Warts on the Lid of the left Eye and over it. Five Guineas Reward is offered by the Owner, on Conviction of the Offender. Give Notice to the above Office, or to Mr. Dodd, at Camberwell, in Surry.

STOLEN February the 5th, from Leighton Fair, Bedfordſhire, a Black Mare, coming ſix Years old, fourteen Hands three Inches high, ſwitch Tail, the near Heel behind white juſt above the Fetlock, a Star in her Forehead, and two bare Spots on the Buttock. A Guinea Reward is offered by the Owner. Give Notice to the above Office, or to Mr. Richard Goſbell, at Thorne, near Dunſtable, Bedfordſhire.

STOLEN February the 4th, from Tottenham, Middleſex, a Bay Horſe, with a crooked Blaze in his Face, the off Heel behind white, both Knees broke, a little lame in the near Shoulder, ſix Years old, fifteen Hands one Inch high, a Hunter's Tail quite rough, an old Snaffle Bridle with a Blue Ribbon, an old Saddle with braſs Loops before, a Web Surcingle, ruſty Stirrops, and an old white Saddle Cloth bound with Yellow. Two Guineas Reward is offered by the Owner. Give Notice to the above Office.

Sarum, Feb. 8, 1774.

BURGLARY and ROBBERY.

BROKE open, about two or three o'Clock this Morning, the Dwelling-Houſe of Mr. Kimber, in this City, and ſtolen out two old Silver Watches, Maker's Name Joſiah Taylor, London, No. 208. There is Cauſe to ſuſpect the Robbery was committed by one John Myett, otherwiſe Early, a Derbyſhire Man, about five Feet ſix Inches high, about twenty-eight Years of Age, has ſmall Eyes, is by Trade a Shoe-Maker. The Key of the Street-Door was carried away. Forty Pounds are allowed by Act of Parliament on Conviction of the Offender. Give Notice to the above Office, or to Mr. Kimber, at Saliſbury.

A ROBBERY.

WHEREAS ſome evil diſpoſed Perſon or Perſons did in the Night between the Eighth and Ninth Day of this Inſtant February break into the Pariſh Church of All Saints, Hertford, and ſteal thereout the Crimſon Velvet Pulpit Hanging, edged with a broad Gold Lace, and IHS 1701 embroidered thereon; alſo the Velvet Cuſhion with Gold Toſſels, a fine Damaſk Table Cloth, two Napkins, and two Surplices. Whoever will diſcover the Offender or Offenders, ſo that they may be brought to Juſtice, ſhall receive the Sum of Ten Guineas, as a Reward for the ſame to be paid by us, on his or their Conviction.

WILLIAM BROWN, }
CARTER KNIGHT, } Churchwardens.

1691

To the EDITOR of the HUE AND CRY.

Verbum sat sapienti.

SIR,

ALTHOUGH the great objects of this your public-spirited undertaking are the suppression of violence and outrages, and the reformation of capital abuses; yet, as you condescend to take notice of such errors in society as may be cured by a hint only, I feel myself encouraged to take up my little pen in this walk; and you will observe, Sir, that is to say, if you read the news-papers, that this age is blessed with authors of genius's adapted to every subject, from the highest to the lowest, and each in his way I believe does some good, for I don't know any thing people are so afraid of now a-days, as that of being put in the news-papers; to be sure in my little way I could not expect to perform many substantial services to my country; yet, Sir, I may be bold to say, that my labour has not been altogether in vain: the troublesome nosegay-women in the Park withdrew themselves from a seasonable hint or two which I threw out in the Public Advertiser; and by a short letter in the Gazetteer I removed the tee-totums from Hyde Park Wall, put a stop to the throwing at oranges at Devonshire House, and drove the nasty ballad-singers from Leicester-Fields: by my lucubrations I have converted, or rather brought back the odious club, or knocker of the hair into a neat queue, smart ramillee, or natural ringlet; as to your tambour waistcoats and tambour work, I have almost ridiculed them out of fashion; and I do not despair of putting down Sunday routs among the quality: a clergyman of my acquaintance tells me he has got a prick and span new sermon on this subject; and I must confess that I lament this shameful practice, chiefly on account of the evil example it affords to children and servants; and as I find these my hints are kindly taken, I shall now and then, with your leave, throw in my mite: but to my story; you must know, Sir, that ever since I could read the Psalms, and make my responses properly, I have accustomed myself to go to church every Sunday, and as I am fond of variety, have been at all the churches and chapels in this metropolis; and could if I pleased, give you an exact account of all the distinguished preachers and parish-clerks in London; but of late years, I confess, I have been much disgusted at the behaviour of those musical gendemen, called organists, who seem indeed to attend to little more than to sound of symphony; I wish these gentlemen would observe, with what propriety and with what good effect music is applied at our theatres. When a king or emperor is introduced, he is ushered on the stage with trumpets, French-horns and clarionets: when the warrior comes on, you hear the spirit-raising drum and the ear-piercing fife; the dirge is attended by the solemn knell and grave music; when a sacrifice is to be represented, the flutes and other soft music lull to silence; and thus are the powers of music made conformable to every subject. The first office of the organ in our church is what we call the voluntary, before the first lesson, the true design of which evidently was to give breath to the reader, to allow him time to find out the proper lessons, and to apprize the audience by such solemn and melodious harmony of sounds as might command their silence, and raise their attention, that the scripture is now about to be read; but, Sir, this is not the case, for by the jiggs, the riggadoons, &c. &c. so powerfully played off upon these occasions, one expects every minute to see a Harlequin jump up in the desk to entertain the congregation with some notable feat of agility: the necessity of giving breath to the singers furnishes another opportunity to these gentlemen to display their musical abilities, which some of them do in so outrageous a manner, as deadens to all intents and purposes the music of the subsequent verse; and when the preacher modestly mounts the pulpit, his decent ejaculation is generally disturbed by opening some of the loudest stops of the organ, whereas on this occasion the softest, gentlest, and most elegant strains in the power of the organ should be performed; and between the verses of the Psalms that are sung some little symphony should be played on the same key; at the conclusion of the service the organ cannot be too sprightly, animating, or grand, as it intends to express the general thanksgiving of the whole congregation, for that opportunity of attending God in his house, and service. Perhaps, Sir, I may be wrong in these observations, but I felt their propriety from experience. The late Archbishop of Canterbury, that excellent man, used to preach once a month at Lambeth, I was one of his constant hearers; it was at this place I first took notice of the great propriety of the organist's conduct during the whole service, and though I did not know the gentleman, I am persuaded he must have been influenced by a true sense of devotion, without which I am persuaded no person in this station can do his duty with any good effect, for every one must experience the difficulty of keeping up the mind during the whole service to a serious attention without having some troublesome intervening thoughts; but when church music is more calculated to put us in mind of a ball than a solemn place of worship, it must defeat its own design; and I really do believe that there is more devotion in those churches and chapels where there is no organ, than where there is, for I have generally observed, the moment the organ begins to play, the congregation in general, especially those who do not sing, begin to chat in their respective pews. This evil may be redressed either by clergymen or church-wardens, if it be thought worthy of their attention. I am, Sir,

Your most obedient,

Humble Servant,

TIMOTHY HINT.

From the LONDON GAZETTE, Feb. 5.

Dublin Castle, Jan. 28.

THIS day his Excellency the LordLieutenant went in state to the House of Peers, with the usual solemnity; and the Commons being sent for, gave the royal assent to the following bills:

An act for granting annuities, in the manner therein provided, to such persons as shall voluntarily subscribe towards raising a sum not exceeding the sum of two hundred and sixty-five thousand pounds.

An act for granting to his Majesty, his heirs, and successors, several duties upon vellum, parchment, and paper.

Petersburg, Jan. 11. A manifesto, on occasion of the insurrection, was published yesterday in her Imperial Majesty's name.

General Bibikow marched some days ago with a large force to quell the insurgents in the province of Oremberg, where they have committed great cruelties and depredations: the general is also to take under his command the troops on the Frontiers. Accounts received from thence on the 6th instant, say, that the rebels were beginning to disperse.

Naples, Jan. 11. The small number of troops that were sent to Palermo have been admitted into the city, but it is said, the Maestranza have declared, they will not receive a greater number.

Stockholm, Jan. 18. There are now three posts due from England, which is attributed to the violent frost, floating ice in the Sound, and very deep snow in this country.

Berlin, Jan. 25. On the 23d instant, his Prussian Majesty, according to his usual custom, returned to Potsdam; and yesterday being his Majesty's birth-day, there was in the evening a splendid court and concert, at his Royal Highness Prince Henry's Palace, at which the nobility and foreign ministers were present.

Brussels, Jan. 28. By accounts from West Flanders, the distemper among the horned cattle is greatly abated.

Whitehall, Feb. 5. The King has been pleased to appoint Thomas Shirley, Esq. to be Captain-General and Governor in Chief of his Majesty's Island of Dominica, in America, in the room of Sir William Young, Bart. who has resigned.

The King has been pleased to appoint Montfort Browne, Esq. to be Captain-General and Governor in Chief of his Majesty's Bahama Islands in America, in the room of Thomas Shirley, Esq.

The King has been pleased to appoint Peter Livius, Esq. to be Chief Justice of his Majesty's province of New Hampshire, in America.

MONDAY, Feb. 7.

LONDON.

Yesterday the Rev. Dr. Butter, Prebendary of Winchester, preached before his Majesty at the Chapel-royal, St. James's.

The Sword of State was carried by the Earl of Orford, it being the first time of his Lordship's attendance at St. James's for a considerable time past, owing to a long indisposition.

After his Majesty returned from Chapel, there was a Drawing-room at St. James's, at which their Graces the Dukes of Queensberry, Grafton, Chandois, and Ancaster; the Duchesses of Grafton, Buccleugh, Queensberry, &c. were present.

On Saturday evening their Graces the Duke and Duchess of Northumberland arrived at their house at Charing-Cross, from Bath, his Grace being greatly recovered from his late indisposition with the gout.

Thursday noon last there was a very numerous and respectable General Court of the proprietors of East India stock, at their house in Leadenhall-street, being on special affairs, at the request of nine proprietors.

After the Clerk had read over the minutes of the two last meetings, and the Chairman had acquainted the Court of the manner in which it was called, Mr. Ongley as one of the nine proprietors who called the Court, opened the business of the day.

He first began by observing how necessary it was to have a Commander in Chief in India; that the General Court thought so by appointing General Monckton to the command; but as that officer had declined accepting it, and Col. Barker had begged leave to resign, and was probably on his passage then to England, he thought it high time to constitute some able and experienced officer in his stead; and the person he begged leave to recommend was Lieutenant General Clavering, whose several qualifications as a soldier and a gentleman he commended with all the warmth of friendship; he said, 'twas true there was a rejection of this Gentleman on the minutes of the books; but this he thinks was done in a thin Court, and by an angry vote, when the proprietors thought parliament were opposing their constitutional rights; that now (looking round him) he observed the Court was more numerous, composed of different kinds of people, and he hoped better disposed to assist the motion he was about to make, at the same time expecting no previous question would be put on it, as it was intended for a general ballot, the fairest method of deciding the rights of the proprietors.

The motion was then handed up to the chair, and was as follows:

"That it be recommended to the Court of "Directors forthwith to appoint General Cla-"vering Commander in Chief of the East-India "Company's forces in India, with an express "provision that, in case of his succeeding to "the office of Governor General of the pro-"vinces of Bengal, Bahar, and Orissa, such "appointment shall immediately cease and de-"termine."

Mr. Rous seconded this motion on the expediency of the appointment, and the particular fitness of General Clavering for this command.

Mr. Parker opposed it, principally on account of the last clause, which superseded Col. Monson, an officer whose long services, he said, deserved every thanks from the Company, who bore arms ever since the year 1746.

The *Duke of Richmond* rose after Mr. Parker, and expressed his admiration on the renewal of a subject, which had been so lately as the 7th of last July, in a full court, determined against General Clavering; that for his part he had no manner of exception against the private character of this gentleman, but the necessity of such an appointment, and his being recommended by government; to both of these he had many exceptions.

It was seconded by *Lord Pigot*, who in a very short, yet sententious speech, told the General Court, that having served the Company from his earliest youth till he was grey, he could not let so important a question slip without giving his opinion; which was, to resist the appointment of General Clavering, as incompatible with the interests of the Company.

A variety of papers and minutes relative to the general courts of the 26th of January, and the 7th of July, 1773, were now called for and read, which took up a great deal of time; after which the debates of the main question seemed to be again entered on with additional spirit, each party straining every nerve to establish that side of the question they espoused. The Duke of Richmond, Gov. Johnstone, Mr. Adair, Mr. Dodwell, Mr. Elliot, Mr. Jones, and Mr. Watson, principally distinguished themselves against the appointment. Mr. Ongley, Mr. Mackworth, Mr. Rous, Mr. Wombwell, Mr. Moore, and Mr. Day, in favour of it; it was the *first* time of this last gen-

tleman's ſpeaking in this Court, and we muſt do him the juſtice to ſay, he acquitted himſelf with a ſpirit and liberality of ſentiment as gained him a reſpectable audience from both parties; he concluded his arguments in favour of that officer's private character, as it did credit to the cauſe of humanity at large.

About eleven o'clock at night the queſtion was put, (the debates on which we have been the more particular in, as it is no doubt the moſt important that has come before the proprietors ſince their late ſtruggle with government) and carried, that the appointmeut ſhould go to a ballot, by a majority of 84; the number on one ſide being 202, on the other 118; when the court adjourned till this day.

General Dilkes is appointed Colonel of the 60th regiment of foot, in the room of Sir William Boothby.

It is expected that his Majeſty will go to the Houſe in the courſe of this week, to ſign the money bills, &c.

That flock muſt be without food where there is no ſhepherd to give it. It was hardly ever known that a ſee was ſo long vacant as that of Bath and Wells has been: This it ſeems is owing to a great diſpute between the Law Miniſter and the Political Miniſter, each contending for his friend's promotion. This long vacation of a ſee ſeems to plead againſt the abſolute neceſſity of Biſhops to govern the Church: For if the people can do without them ſeveral months, why not longer? And why not altogether? The King here ſeems to have no choice, though his Miniſters have.

The treaty lately concluded between the Court of Denmark and Ruſſia, ſtipulates the former to keep 5000 foot and 2000 horſe for three years for the Empreſs's ſervice, to be in readineſs when called for.

Saturday his Excellency the Ruſſian Ambaſſador ſet off from his houſe in Bond-ſtreet for Portſmouth.

The New York Gazette confirms the accounts in the London Gazette, with the following particulars, viz.

The firſt fire happened in the Council Chamber, but by what means it was kindled remains as yet undiſcovered. His Excellency's loſs muſt be very great, for beſides a rich and coſtly ſet of furniture, he has loſt all his public and private papers, plate, caſh, &c. with a valuable ſet of jewels belonging to his lady.

The Great Seal of the province was taken out of the ruins on the evening of the 31ſt of December, without being the leaſt defaced.

TUESDAY, Feb. 8.

LONDON.

Yeſterday morning ten fine horſes lately brought over as a preſent to his Majeſty, from the Emperor of Morocco, were viewed by his Majeſty in the Royal Garden, St. James's, when his Majeſty was pleaſed to expreſs his acceptance and approbation of the ſame; after which they were delivered to his Majeſty's grooms to be conveyed to the King's Mews. One of the above horſes was richly capariſon'd, and was ſaid to have been rode by the Emperor in ſeveral battles.

The ſame day his Excellency the Morocco ambaſſador, was preſented to his Majeſty at St. James's, by Sir Charles Cotterell.

The new Farce of The Note of Hand, or, A Trip to Newmarket, to be performed on Thurſday evening next, is, we hear, the production of the ingenious Mr. Cumberland, author of the Weſt Indian, &c.

Yeſterday arrived in the River, the Juſtitia, Capt. Gray, from St. Vincents, in the Weſt Indies. She brings advice, that his Majeſty's garriſon at that place, was in perfect health in December laſt.

Yeſterday morning about two o'clock a dreadful fire broke out in the apartments of Capt. Collier, in Great Queen-ſtreet, Lincoln's-Inn-Fields, which in leſs than an hour entirely conſumed the houſe; and it was with the utmoſt difficulty that the family eſcaped with their lives, with the loſs of furniture, cloaths, and every valuable thing. A footman of Capt. Collier's, who was feared to have periſhed in the flames, got, with the greateſt difficulty and peril, over the ridges of the houſes, by which he eſcaped the moſt dreadful of deaths. All the family would have been deſtroyed, had not the key been fortunately left in the ſtreet-door; which ought to be a caution to all houſekeepers never to take keys out of ſtreet-doors into their chambers.

WEDNESDAY, Feb. 9.

LONDON.

HOUSE OF LORDS.

Tueſday, February 8.

Continued to hear Council in the great cauſe of literary property. The Solicitor General and Mr. Dunning pleaded in favour of it: part of the latter's pleading was to the following purpoſe: Entering into an hiſtorical review of the ſtate of this property in different parts of our annals, he obſerved;

It has been very falſely aſſerted, my Lords, that this property, before the act of Queen Anne, was not to be found at common law, and attempts have been made to prove, that no caſes of it are to be produced; but, my Lords, this is not reaſoning to the purpoſe; we muſt conſider the times which we examine, and the nature of the property in queſtion: In ages wherein civility had made but ſmall progreſs, it would be abſurd to look for litigations of a property ſo little valued and ſo ſeldom diſputed; but, my Lords, the want of precedents in ſuch a caſe proves nothing againſt us: there are many unqueſtionable common law rights for which you can find no precedent, ſo far back as Richard the Second. How, my Lords, is it to be ſuppoſed, that the deciſions relative to ſo peculiar a property are to be clearly aſcertained through an age wherein we have only a dim light to view objects of much greater importance? Where would be the equity, if I may ſo expreſs myſelf, of our conſtitution, if we were to eſtabliſh it by ſuch remote precedents? Can any one wonder that we have only a dim view of this property, in ages when nothing was clear but injuſtice and oppreſſion? The nature of the property ſhews at firſt ſight that it would be in vain to look far back for deciſions in its favour, even ſuppoſing that from other circumſtances the exiſtence of it was unqueſtionable.

My Lords, the little eſtimation and dubious circumſtances that attended the copy right to the Paradiſe Loſt of Milton, is no proof againſt the exiſtence of a deciſive right. That poem was ſo much neglected, that the bookſeller had perhaps as much reaſon to complain of his bargain as the author. It was the fault of the age; and had the ſame inattention and want of taſte continued, the property for which we contend would, perhaps, to this day have never been litigated; but certainly, my Lords, the *right* in caſe of litigation would not thereby have been injured.

Attempts, my Lords, have been made to prove that the eſtabliſhment of this right would be injurious to literature; a ſtrange aſſertion ſurely! It is as much as to ſay, that rewarding authors in proportion to their merit, is the way to diſcourage their productions; an argument too weak to make an impreſſion on your Lordſhips. So very far is this from being the caſe, that it is evident the money given for copy rights has increaſed with the increaſe of ſecurity that has been given to the property. Go back to Milton's time, and from thence advance gradually to Queen Anne's reign, when the act of fourteen years right was one encouragement to the booksellers, followed by ſome conſiderable emoluments in their way to authors; then, my Lords, reflect on the progreſs which has been made ſince, and permit me to call your attention to three famous works, Mr. Hume's and Dr. Robertſon's hiſtories, and Dr. Hawkeſworth's voyages; the ſums given for the copies of the former, at that time unparalleled, followed the ſecurity of the property, which flowed from ſeveral injunctions granted by Chancery: and the yet greater ſum given for the latter, followed an actual determination of the King's Bench in favour of this very property. My Lords, I conceive that whoever reads the books will not find it poſſible to account for the ſum in one caſe ſo much exceeding thoſe in the other, unleſs it be attributed to this cauſe. That the merit of the voyages is to be claſſed with that of the hiſtories, will ſcarcely be allowed; yet the copy money much exceeded that of the others. In no way is this to be accounted for but by ſuppoſing the booksellers liberality to flow from the additional ſecurity thus given to their property: and if this is not an encouragement to literature, my Lords, I ſhould be glad to be informed what is an encouragement. It might as reaſonably be aſſerted, that penſions and rewards given by a ſovereign to learned men, did not advance the intereſt of learning.

My Lords, the very act of Queen Anne has been brought to prove, that there could not be a previous common law right in the copies of books; but, my Lords, nothing can be more futile than ſuch an idea: let me illuſtrate this by a ſimilar caſe; there paſſed an act laſt ſeſſions to make turnips, cabbages, potatoes, and carrots property; now, my Lords, might it not be urged with as much juſtice, that cabbages and ſo forth were not property at common law? Such an idea would be ridiculous. Acts may paſs to regulate property, and to inflict penalties on the inverſion of it, without in the leaſt derogating from the principles and foundation of ſuch property.

We have been farther told, my Lords, that giving the property of copies will be giving the right of ſuppreſſion; but this I conceive is a groundleſs idea: we are not to ſuppoſe that books of inſtruction, entertainment, or amuſement, will ever be ſuppreſſed; and as to books neither inſtructive nor entertaining, the ſooner they are ſuppreſſed the better. Certain, however, it is, that on ſome ſubjects they are read in proportion to their meriting neglect.

My Lords, it is aſſerted that the book in queſtion was printed in Scotland; what then? it was publiſhed in England: if ſuch piracies are to be publiſhed in Scotland only, the injunction wh.ch we hope from your Lordſhips will bear not at all againſt the profits of the attempt; it is the publication and ſale in England alone that the booksellers, my employers, concern themſelves with; who truſt, that your Lordſhips will not allow the importation for ſale of Scotch books, like Scotch cattle, to rival the juſt owners in England.

THURSDAY, Feb. 10.

LONDON.

HOUSE OF LORDS.

Wedneſday.

Continued to hear Counſel on the queſtion of Literary Property. The Attorney General againſt the property, repliſed to the arguments that had been urged in favour of it. He ſpoke to the following effect:

"My Lords, when I had the honour of pleading on this queſtion the other day before your Lordſhips, I endeavoured to aſcertain thoſe eternal diſtinctions which exiſt between different kinds of property; yet I find, my Lords, by the arguments urged by my learned friends, that due attention has not been paid to thoſe diſtinctions: Surely, my Lords, we are not to ſubmit to a general vague idea of property, without any diſtinction? Property depends on *poſitive inſtitutions*;—that is the claſs of property in which copy rights muſt be arranged. Now, my Lords, on what poſitive inſtitutions can this property be founded?—It is referred to common law; but was there ever a right eſtabliſhed in any poſſeſſion by a trial in modern times, when no deciſion ever happened—no precedent ever found,—that could be referred to as an inſtance of the right?

"My Lords, the right now urged is a mere monopoly;—and the foundation and principles of it ought to be ſearched for, in the ſame records as any other monopoly;——but it would be eaſy to ſhew, that no other monopoly which may have been ſupported by repeated trials and deciſions, ever pretended to be derived from a common law perpetual right. My Lords, the maker of an orrery, or other machine, might, upon the very ſame principles, demand a perpetual excluſive right:——a mechanical invention deſerves this encouragement as much, and comes in every reſpect within the ſame predicament.

"A queſtion at common law, when there is no precedent in our own country, allows us to look to the ideas and practice of other countries. In France and in Germany, the King and the Emperor have been accuſtomed to grant licences, from the general knowledge, that without ſuch licences, which are patents, the authors and booksellers would have no property. But, my Lords, the inſtance of Holland is moſt poſitively to the point; for the States give patents of fourteen years, and, on the expiration of the term, give a renewal of fourteen more, which is the ſtrongeſt proof that can be given, that, if they did not renew ſuch patents, the property would vaniſh, and exiſt no longer than the term of the patent, thereby eſtabliſhing a deciſive proof that no common law right exiſted.

"My Lords, it has been urged ſtrongly, that the eſtabliſhing this right would prove of high encouragement to authors.—Granting this, my Lords, what are we to draw from it?——Why, we may conclude with Mr. Dunning, that, as

a decision of the King's Bench encouraged the booksellers to fix the price of three guineas on Dr. Hawkesworth's voyages,——they will, upon the credit of a decision of the House of Lords, fix six guineas to such another book.——This certainly is encouraging certain authors;—but, my Lords, will any man think that equity demands such encouragement to the booksellers much more than to those authors, at such an enormous expence to the public.

My Lords, the slight grounds upon which the booksellers want to fix their right to this monopoly are seen in another respect. Many of our best writers have thought proper to publish in the Latin language, as Lord Bacon, Newton, and others; now the same men who demand a perpetual right to a Latin original, allow the proprietor of a translation has also a perpetual right to such translation. So, if such a work as some of Lord Bacon's was now published in Latin, another person might print a translation immediately, and whatever learning there might be in that age, at present we may fairly say the original would lie upon the shelf, while the translation run away with all the sale: how consistent is this with the principles upon which they found their ideal right.

Upon the whole, my Lords, I cannot but hope that your Lordships will in declaring the law ease us of their monstrous and most pernicious monopoly, which if it is established will prove much heavier than any other, from the very circumstance of its perpetuity."

The Lord Chancellor then recommended to the House to refer three questions to the learned judges for their opinions, which questions were as follow:

I. Have authors of books, and other literary compositions, an exclusive right to such books and compositi ns; and can they bring actions at common law against persons who publish them without their consent.

II. After publication, have authors of books, or other literary compositions, a continuation of right at common law which they might have before publication.

III. Did the act of the 8th of Queen Anne take away or alter any common law right which authors might have in their books, or other literary compositions.

To these questions Lord Cambden added two more; but they seemed in spirit to be included in the preceding.

PROCEEDINGS *in the* INDIA-HOUSE *on Monday.*

A great number of the Proprietors were assembled in the Court at twelve, according to the advertisement; but the Directors and Chairman did not then make their appearance as usual. After waiting about half an hour, it was whispered that the Directors were holding a Court for taking into deliberation a matter which did not admit of delay, and which might tend to the preserving the essential rights and privileges of the Company: the object being privately explained to the whole of the Proprietors present, they waited very contentedly. At half an hour past one the Directors came into the Court, and declared that they had been detained by taking into consideration the necessity or expediency of appointing a Commander in Chief of all their Forces in India; and that they had come to this resolution:

East India House.

At a Court of Directors held on Monday the 7th of February, 1774.

Resolved, That a desire having been expressed in the General Court of Proprietors held on the 3d instant, that the Court of Directors should give an opinion, whether in the present situation of the Company's affairs, they think the office of Commander in Chief of the Company's Forces in India, is necessary or not? The Court of Directors have taken the same into consideration; together with the resolution of this Court, of the 26th of January, 1773, "That, as tranquility then prevailed in India, it was at that time unnecessary to continue the appointment of a Commander in Chief in the East Indies."—In consequence of which Sir Eyre Coote, then actually holding the said commission, was removed, and are of opinion, that as the same tranquility still subsists in India, and the utmost attention to a proper oeconomy is peculiarly necessary at this time; the office of Commander in Chief of the Company's Forces in India, with the Attendant Staff, and extraordinary expences, would at present be an unnecessary and burthensome charge.

Mr. Wombell, and Mr. Moor (Clerk of the H. of C.) then rose, and endeavoured to throw some blame on the Directors for having taken up that matter at present; but the almost universal disgust of the Court at such an attempt, silenced them.

The minutes of the Court having shewn that an order had been made for adjourning to this day, to take into consideration a motion respecting Colonel Stuart, proposed by the Duke of Richmond, his Grace accordingly made the following motion:

"That whereas in the first instance it has been recommended to the Court of Directors to appoint Colonel Gordon to be Commander in Chief of the Company's Forces at Bombay, by rescinding the appointment of Colonel Stuart, it is now recommended to the Directors to make a suitable provision for Colonel Stuart, when there shall be a proper opportunity."

After this several emendations and superemendations were proposed; which ended in adding these words to the motion, "So that such opportunity shall not be an injustice to any officer or servant of the Company." The previous question was then moved by Sir Robert Fletcher, "That the question be not now put:" which passed in the negative almost unanimously; and the general question being then put, passed with very few negative hands. The Court adjourned *sine die.*

FRIDAY, Feb. 11.

LONDON.

Yesterday at two o'clock, his Majesty went to the House of Peers in the state coach, attended by the Duke of Ancaster and one of the Lords in waiting, and gave the Royal Assent to the following Bills.

The Bill for granting an aid of 3s. in the pound, on all lands, tenements, and hereditaments in England, &c.

The Bill for continuing the duties on malt, mum, cyder, and perry.

The Bill for punishing mutiny and desertion, and for the better payment of the army and their quarters.

And to such other Bills as were ready for that purpose.

We hear that on Saturday evening, the 31st of January, a gentlemau was robbed between Worcester and Kidderminster, of some money by a single highwayman.

Sprats sold yesterday morning for 1s. per bushel at Billingsgate, to the great relief of the necessitous poor.

Prices of leather at the above market on Tuesday were as follow: Butt, 1s. Crap, 8d. to 10d. Skins, 7d. to 9d. per pound. Raw hides, from 12s. to 1l. 10s.

Committed from the Public-Office in Bow-Street during the course of last week,

Thomas Ives, Richard Pitt, and Mary Freeman, for feloniously and treasonably coining and counterfeiting the silver money of this kingdom; William Hudson, for stealing a gold pencil-case and other things, the property of Catharine Reid; and Timothy Hudson, for receiving the same, knowing them to be stolen; and William Flannagen, for stealing eight silk handkerchiefs in the shop of John Northorpe.

Commitments during the course of last week.

To York castle, James Jephson and William Richmond, for house-breaking; Jephson is twenty-four years of age, five feet seven inches high, a taylor, and born at Thorn in Yorkshire; Richmond is a sailor, twenty-seven years of age, five feet five inches high, and born at Grimsby in Lincolnshire; Christopher Hall, of Anderly in Yorkshire, for murder, thirty-eight years of age, five feet eight inches high; William Jackson, of Stockton upon Tees, farmer, thirty-four years of age, five feet six inches high, for felony.

To Chelmsford Gaol, James Wright, William Collis, and Ambrose Miles, for felony. Wright was born at Great Canfield in Essex, is about sixteen years of age, and about five feet high. Collis was born at Dunmow in Essex, is about twenty-eight years of age, and five feet high. Miles was born at Long Milford in Sussex, is eighteen years of age, and five feet three inches high.

To Warwick Gaol, Francis Wickstead, for felony, about fifty years of age, five feet seven inches high, a gun-lock maker; Samuel Shelhom, for felony, a white-smith, thirty-one years of age, five feet seven inches high, born at Aldridge in Staffordshire; Thomas Shelhom, for felony, by trade a black-smith, seventy-two years of age; William Thomson, for felony, about fifteen years of age, four feet nine inches high, born at Bedworth Warwickshire.

To Nottingham Gaol, William Northage, John Smalley, and Robert Smalley, for felony; Northage is about five feet seven inches high, twenty years of age, born at Transfield in Nottinghamshire; John Smalley is about five feet six inches high, twenty-four years of age, and comes from Caunton in Nottinghamshire; Robert Smalley is about five feet seven inches high, and about twenty-six years of age.

To Shrewsbury Gaol, Mary Rhodenhurst, for shop-lifting, an elderly woman, and lived at Awestry in Shropshire; John Reeves, for felony, thirty years of age, five feet five inches high, born at Ellesmere Shropshire; William Williams, for felony, thirty two years of age, five feet eight inches high, born at Wenlock in Shropshire, and is a mole-catcher; Thomas Howden, for felony, twenty-five years of age, five feet four inches high, born at Ellesmere in Shropshire.

To Norwich Castle, Joseph Redhouse, of Wareham in Yorkshire, for felony, about forty-five years of age; Merk Coe, of Tatterset in in Norfolk, for felony, is about twenty-five years of age; Ann Houghton, and Ann Kersey, for felony.

To Chester Castle, Charles Leicester, for felony, a well made man, twenty-three years of age, five feet eight inches high, born at Davenham, Cheshire, a labourer.

To Bedford Gaol, Joshua George Watkinson, and Joseph Simpson, for fraud; Simpson is a taylor, eighteen years old, five feet six inches high, and comes from Penrith in Cumberland; Watkinson is a taylor, twenty-eight years of age, very short, has a scar on his chin, and comes from York.

To Northampton Gaol, Matthew Line and William Lawton, for sheep-stealing. They are both labourers, and born at Bozeat in Northamptonshire. Line is five feet six inches high, and thirty-six years of age. Lawton is five feet five inches high, and thirty-one years of age.

To Worcester Gaol, William Smallman, for felony, aged twenty-one, five feet eight inches high.

To Reading Gaol, John Saunders, on suspicion of murdering Stephen Hatcherside, at Bray, near Maidenhead, about five years ago; he is forty years of age, and five feet ten inches high.

OBSERVATION.

If the Keepers of the County Gaols continue punctually to make a weekly return to the above office of the names and descriptions of the offenders committed to their charge, it must be the means of recovering many prisoners that have broke Gaol, and of detecting many notorious criminals who have committed offences in the counties from whence they have escaped; and if the Post-Masters in the different parts of England pay an exact attention to the directions they have received from the Hon. the Post-Master General, in sending an immediate account of every robbery that comes to their knowledge, with the best description of the offenders, the whole state of criminal matters that arise within the course of the week, will be contained in this Paper, the Public Advertiser, and the Gazetteer, to which therefore we refer Pawnbrokers, Silversmiths, Dealers in Cloaths, and Horse Dealers, to prevent their buying or receiving stolen goods or horses; for as it is natural for offenders who escape justice in the country to fly towards London for shelter, such occurrences, together with those that arise in town, are advertised in those two daily papers; and as it is also as common for offenders who escape justice in this metropolis to fly into the country for shelter, these occurrences are constantly advertised in the Hue and Cry: by these reciprocal methods escapes must be rendered difficult, the evil-disposed deterred from involving themselves and families in distress; the number of capital offenders lessened, and the lives of many of his Majesty's subjects thereby happily saved, to the joy of humanity and the honour of civil policy.

LONDON: Printed by WILLIAM GRIFFIN, CATHARINE-STREET, in the STRAND.